

10/523520

DT01 RECEIVED PCT/PTC 04 FEB 2005

Customer No. 22,852
Attorney Docket No. 02418.0913

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Herfried LAMMER et al.)	
)	Group Art Unit: Not Yet Assigned
Application No.: Not Yet Assigned)	
)	Examiner: Not Yet Assigned
Filed: February 4, 2005)	
)	
National Stage of International Application No.)	
PCT/EP2003/008176 under 35 U.S.C. 371,)	
for DAMPING DEVICE FOR A BALL GAMES)	
RACKET)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§1.56 and 1.97(b), applicants bring to the Examiner's attention the documents listed on attached Form PTO/SB/08 and cited in the international search report. With the exception of the U.S. patents, copies of the listed documents are attached. Applicants respectfully request that the Examiner consider the documents listed on attached Form PTO/SB/08 and indicate that they were considered by making an appropriate notation on this form. This Information Disclosure Statement is being filed with the above-referenced application.

The following are listed on the accompanying PTO/SB/08 and are in a non-English language:

1. Japanese Patent Publication No. 60-168473

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2. French Patent Publication No. 2 725 908 A1 – An English language

abstract of this document is enclosed.

3. German Patent Publication No. 35 04 137 A1 – An English language

abstract of this document is enclosed.

4. Austrian Patent Publication No. 352 590 - The relevance of this document

is discussed at page 1 of the specification of the present application. This document also corresponds to U.S. 4,180,265 cited on Form PTO-SB-08.

In lieu of a statement of relevance or the translation of the non-English documents 1 and 2 above, enclosed is an English-language international search report from the European Patent Office in the PCT international application, from which this national phase U.S. application is derived, citing these documents and setting forth the relevance thereof.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

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If there is any fee due in connection with the filing of this Statement, please

charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: February 4, 2005

By: 

Ernest F. Chapman
Reg. No. 25,961

Enclosures
EFC/FPD/sci

IDS Form PTO/SB/08: Substitute for form 1449A			Complete Known		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>			Application Number	Not Yet Assigned 0/523520	
			Filing Date	February 4, 2005	
			First Named Inventor	Herfried LAMMER et al.	
			Art Unit	Not Yet Assigned	
			Examiner Name	Not Yet Assigned	
			Attorney Docket Number	02418.0913	
Sheet	1	of	1		

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No. ¹	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US-4,575,083	03-11-1986	ADAM	
		US-5,106,086	04-21-1992	ACOSTA	
		US-5,797,812	08-25-1998	LIU	
		US-4,180,265	12-25-1979	STAUFER	
		US-4,732,383	03-22-1988	FERRARI et al.	
		US-4,776,590,	10-11-1988	KRENT et al.	
		US-4,190,249	02-26-1980	FISCHER	

Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		JP 60-168473	08-31-1985	AJIA WAASU KK		NO
		EP 0 497 561 A1	08-05-1992	OOI et al.		
		FR 2 725 908 A1	04-26-1996	BIANCHI		ABSTRACT
		DE 35 04 137 A1	08-07-1986	ZÖSCHINGER		ABSTRACT
		AT 352 590	09-25-1979	STAUFFER		NO

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.